

ENTERED ON DOCKET

DATE

7/29/97
FILED

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

APR 28 1994

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHARLES M. INGRAM,

Defendant.

No. 94-CR-19-B

Richard M. Lawrence, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

O R D E R

Now on this 28th day of April, 1994 this cause comes on to be heard in the matter of the plaintiff's Motion for Leave to Dismiss, without prejudice, the Indictment against defendant Charles Melvin Ingram, Jr., in the above styled cause. The Court finds that said request ought to be granted and the Indictment against defendant Charles Melvin Ingram, Jr., is dismissed, without prejudice.

IT IS SO ORDERED.


THOMAS R. BRETT

United States District Judge

BM Fullough
Part 2

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

ENTERED ON DOCKET

DATE 4.29.94

UNITED STATES OF AMERICA

v.

Case Number 94-CR-002-B

FRANCISCO ACUNA
Defendant.

FILED

APR 29 1994

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

The defendant, FRANCISCO ACUNA, was represented by Stephen J. Greubel.

The defendant pleaded guilty to counts 1 and 3 of the Indictment. Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:


Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
26 USC 5812, 5861(e), and 5871	Illegal Transfer Of A Firearm	09/02/93	1
18 USC 922(g)(5) and 924(a)(2)	Possession Of A Firearm By An Illegal Alien	09/02/93	3

As pronounced on April 22, 1994, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for counts 1 and 3 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 27 day of april, 1994.


The Honorable Thomas R. Brett
United States District Judge

United States District Court
Northern District of Oklahoma) SS
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Defendant's SSN: None

Defendant's Date of Birth: 04/09/70

Defendant's residence and mailing address: 1500 S. Santa Fe, Apt. 156, Bartlesville, Oklahoma

Richard M. Lawrence, Clerk

By 74003

Deputy

Defendant: FRANCISCO ACUNA
Case Number: 94-CR-002-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 24 months.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: FRANCISCO ACUNA
Case Number: 94-CR-002-B

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 2 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: FRANCISCO ACUNA
Case Number: 94-CR-002-B

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	17	
Criminal History Category:	I	
Imprisonment Range:	24 months to 30 months	counts 1 & 3
Supervised Release Range:	2 to 3 years	counts 1 & 3
Fine Range:	\$ 5,000 to \$ 50,000	counts 1 & 3
Restitution:	\$ N/A	

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

cw

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

ENTERED ON DOCKET
DATE 4/29/94

UNITED STATES OF AMERICA

v.

Case Number 93-CR-156-002-E

JOYCE SIXKILLER
Defendant.

FILED

APR 29 1994

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

The defendant, JOYCE SIXKILLER, was represented by Curtis Byrum.

The defendant pleaded guilty to count 1 of the Indictment. Accordingly, the defendant is adjudged guilty of such count, involving the following offenses:


Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21 USC 841(a)(1), 841(b)(1)(B)(vii), and 18 USC 2	Manufacture By Production More Than 100 Marijuana Plants And Aiding And Abetting	08/11/93	1

As pronounced on April 22, 1994, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 29th day of April, 1994.

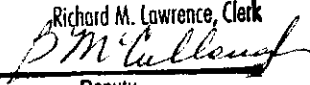

The Honorable James O. Ellison, Chief
United States District Judge

Defendant's SSN: 447-46-8719

Defendant's Date of Birth: 03/01/48

Defendant's residence and mailing address: 3202 North 194th West Avenue, Sand Springs, Oklahoma 74036

United States District Court
Northern District of Oklahoma
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk
By 
Deputy

Defendant: JOYCE SIXKILLER
Case Number: 93-CR-156-002-E

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 60 months.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 12:00 p.m. on May 23, 1994.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: JOYCE SIXKILLER
Case Number: 93-CR-156-002-E

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 4 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall participate in a program of mental health treatment (to include inpatient), as directed by the Probation Officer, until such time as the defendant is released from the program by the Probation Officer.
6. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: JOYCE SIXKILLER
Case Number: 93-CR-156-002-E

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report except the offense level is reduced by two to level 23 as the court finds that the increase for possession of a firearm is not applicable.

Guideline Range Determined by the Court:

Total Offense Level:	23
Criminal History Category:	I
Imprisonment Range:	60 months
Supervised Release Range:	4 to 5 years
Fine Range:	\$ 10,000 to \$ 2,000,000
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

ENTERED ON DOCKET

DATE 4/29/94

UNITED STATES OF AMERICA

v.

Case Number 93-CR-156-001

JOEY SIXKILLER
Defendant.

FILED

APR 29 1994

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, JOEY SIXKILLER, was represented by Richard D. Amatucci.

The defendant pleaded guilty to count 1 of the Indictment. Accordingly, the defendant is adjudged guilty of such count, involving the following offenses:


Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21 USC 841(a)(1), 841(b)(1)(B)(vii), and 18 USC 2	Manufacture By Production More Than 100 Marijuana Plants And Aiding And Abetting	08/11/93	1

As pronounced on April 22, 1994, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 29th day of April, 1994.

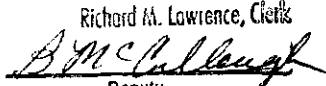

The Honorable James O. Ellison, Chief
United States District Judge

Defendant's SSN: 446-48-0750

Defendant's Date of Birth: 07/02/48

Defendant's residence and mailing address: 3202 North 194th West Avenue, Sand Springs, Oklahoma 74036

United States District Court
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk
By 
Deputy

Defendant: JOEY SIXKILLER
Case Number: 93-CR-156-001

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 60 months.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 12:00 p.m. on May 23, 1994.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: JOEY SIXKILLER
Case Number: 93-CR-156-001

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 4 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: JOEY SIXKILLER
Case Number: 93-CR-156-001

Judgment--Page 4 of 4

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	25
Criminal History Category:	I
Imprisonment Range:	60 months to 71 months
Supervised Release Range:	4 to 5 years
Fine Range:	\$ 10,000 to \$ 2,000,000
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

APR 29 1994

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

v.

Case Number 93-CR-131-001-E

ROGER LEE WOOLMAN
Defendant.

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, ROGER LEE WOOLMAN, was represented by Stephen J. Knorr.

On motion of the United States the court has dismissed counts 1 and 2 of the Indictment.

The defendant pleaded guilty to count 3 of the Indictment. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

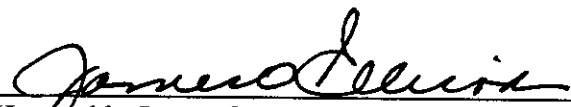
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1341	Mail Fraud	05/20/93	3

As pronounced on April 22, 1994, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count 3 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 29th day of April, 1994.


The Honorable James O. Ellison, Chief
United States District Judge

Defendant's SSN: 443-58-4807

Defendant's Date of Birth: 10/13/56

Defendant's residence and mailing address: Route 1, P.O. Box 230, C/O Virgil & Buddie Woolman, Vinita, Oklahoma 74012

B M Culbough

Defendant: ROGER LEE WOOLMAN
Case Number: 93-CR-131-001-E

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 15 months.

The Court makes the following recommendations to the Bureau of Prisons: The court recommends that the Bureau of Prisons designate El Reno Federal Correctional Institution as the place of incarceration for the defendant.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: ROGER LEE WOOLMAN
Case Number: 93-CR-131-001-E

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.
6. The defendant shall pay any restitution that is imposed by this judgment in regular monthly installment payments, as directed by the U. S. Probation Office.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: ROGER LEE WOOLMAN
Case Number: 93-CR-131-001-E

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$29,000 as to count 3 of the Indictment.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Coast to Coast Cattle Company Attention: Danny Burns, President 2201 Civic Circle, Suite 415 Amarillo, Texas	\$10,000
Terry Balo 25414 TR 26 Coshocton, Ohio 43812	\$11,500
Joe Christen 42198 Weld County Road No. 10 Roggen, Colorado 80652	\$ 5,500
William Jamison P.O. Box 40 O'Neals, California 93645	\$ 2,000

Payments of restitution are to be made to the United States Attorney for transfer to the payees.

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release, as directed by the U. S. Probation Office.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: ROGER LEE WOOLMAN
Case Number: 93-CR-131-001-E

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	10
Criminal History Category:	IV
Imprisonment Range:	15 months to 21 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 2,000 to \$ 20,000
Restitution:	\$ 29,000

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

DATE 4-28-94

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 93-CR-173-001-C

TERRY A. WITTNER
Defendant.

FILED

APR 25 1994

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

The defendant, TERRY A. WITTNER, was represented by Stan Monroe.


The defendant pleaded guilty to counts 1 and 2 of the Information. Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 371	Conspiracy To Evade Reporting Requirements	11/12/93	1
26 USC 6050I(f)(1)(A) and 7203, and 18 USC 2	Willful Failure To File And Aiding And Abetting	04/29/92	2

As pronounced on April 21, 1994, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for counts 1 and 2 of the Information, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 26th day of April, 1994.
The Honorable H. Dale Cook
United States District Judge

Defendant's SSN: 448-54-2698

Defendant's Date of Birth: 02/01/52

Defendant's residence and mailing address: 5941 East 88th Street, Tulsa, Oklahoma 74137

United States District Court)
Northern District of Oklahoma) SSI hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk

By 
Deputy

Defendant: TERRY A. WITTNER

Case Number: 93-CR-173-001-C

PROBATION

The defendant is hereby placed on probation for a term of 5 years, as to counts 1 and 2 of the Information to run concurrently.

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of 6 months, to commence within 72 hours of sentencing date. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the probation office. The entire cost of this program shall be paid by the defendant.
4. The defendant shall provide the probation office with access to any requested financial information, to include income tax returns.

STANDARD CONDITIONS OF PROBATION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: TERRY A. WITTNER
Case Number: 93-CR-173-001-C

FINE

The defendant shall pay a fine of \$ 75,000.

This amount is the total of the fines imposed on individual counts, as follows:
\$75,000 on count 2 of the Information.

This fine, plus interest, shall be paid in full immediately. Any amount not paid immediately shall be paid as directed by the U. S. Probation Office during the period of probation.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: TERRY A. WITTNER
Case Number: 93-CR-173-001-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	10	
Criminal History Category:	I	
Imprisonment Range:	6 months to 12 months	count 1 & 2
Supervised Release Range:	2 to 3 years	count 1 & 2
Fine Range:	\$ 2,000 to \$ 20,000	count 1 & 2
Restitution:	\$ N/A	

The sentence departs from the guideline range for the following reasons: The court imposed a fine exceeding the guideline fine range as agreed by the defendant in the plea agreement and consistent with his ability to pay.

ENTERED ON DOCKET

DATE 4-26-94

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

F I L E D

APR 25 1994

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

JOHN R. LIVINGSTON,)

Defendant.)

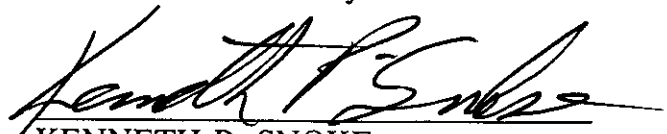
No. 93-CR-105-C

MOTION AND ORDER OF DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of court endorsed hereon, the United States Attorney for the Northern District of Oklahoma hereby moves to dismiss without prejudice the Indictment filed July 7, 1993, against John R. Livingston, defendant.

This motion is made in compliance with the terms of the plea agreement letter, dated March 23, 1994 (a copy of which is attached), the defendant having entered a "nolo" plea in state court, on April 12, 1994, in case number CF-94-1604 (copy attached) in compliance with the plea agreement letter.

STEPHEN C. LEWIS
United States Attorney


KENNETH P. SNOISE

Assistant United States Attorney

United States District Court)
Northern District of Oklahoma) SS

I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk

By 
Deputy

Leave of court is granted for the filing of the foregoing motion to dismiss and the Court hereby orders dismissal of the requested Indictment.

~~(Signed) H. Dale Cook~~

H. DALE COOK
United States District Judge

Date:

KPS:ssg



U.S. Department of Justice

United States Attorney
Northern District of Oklahoma

Page Belcher Building Third Floor
333 West 4th Street
Tulsa, Oklahoma 74103

918/581-7463

8-918-581-7463

March 23, 1994

Via Fax (714) 543-3674

James Riddet, Esq.
Stokke & Riddet
2677 North Main Street, Suite 100
Santa Ana, CA 92701-1230

Dear Mr. Riddet:

RE: *United States v. John R. Livingston*
Court No. 93-CR-105-C

Thursday morning, after additional negotiation and before moving for mistrial in the above-captioned case, the parties reached an agreement for the disposition of the pending trial before Judge Cook, and the ultimate dismissal of the charges against your client in the above-captioned case, the details of which are set forth below:

1. Your client will enter a nolo contendere plea in Tulsa County District Court to a felony charge of obtaining money/property by false pretenses in violation of Title 21, Oklahoma Statutes, Section 1541.1, as soon as those charges can be prepared and filed.
2. This office, through the District Attorney's representative for Tulsa County, will inform the State District Court Judge assigned to the case (when filed) that we have no objection to (a) your client entering a nolo contendere plea to this charge; and (b) the Court deferring the finding of guilt and placing your client under probationary supervision for five years, under the deferred sentencing program.

Mr. Riddet
March 22, 1994
Page 2

3. The probationary supervision for five years, agreed to by your client, would include an agreed restitution order, to be paid to the RTC (as successor in interest to the Sooner Federal Savings & Loan Association) of \$25,000, under a schedule, to be supervised by probation, that would provide for no payment for the first six months, and then payments beginning at months #7 through #60 of no less than \$400 per month, with a balloon payment in the 60th month, if necessary, to reach the \$25,000 figure. It is anticipated by the parties, to avoid additional paperwork and burden on whatever state's probation officer supervises your client, that your client will make the payments directly to the RTC at an address to be provided, and will send a check copy or other notification of said monthly payment when made to whatever probation office is then supervising him. The parties also understand that should your client find himself financially unable to make the monthly payments in the amounts set forth herein, or as ordered by the Court (if different), that he can petition the Court to reduce the amount of said payments. It is also understood, if at the end of the 60 months the defendant has not completed the payment of the \$25,000 (or whatever restitution is ordered by the State Court), that neither this office nor the District Attorney's Office will pursue him civilly thereafter for any balance then owed, assuming that, in the opinion of the probation office that is supervising him, he has made a good faith effort to pay the restitution sums due, prior to that time. In this event, some financial records may be required from defendant. After a minimum supervisory term of three (3) years, if your client has complied with all rules and regulations of probation and has paid the full amount of restitution ordered, this office and the District Attorney will not oppose a motion by you for early termination of the five (5) year probationary term.
4. Your client further stipulates and agrees that the monetary amount of restitution ordered by the State District Court Judge is not dischargeable in bankruptcy.
5. Your client understands that, under the State Court procedure in Oklahoma, an Information will be filed, charging him with obtaining money and property by false pretenses; that it will be assigned to one of four District Court Judges in Tulsa County through a random selection process; that he will then appear in open court; will waive his right to be tried by jury; to confront and cross-examine witnesses; to call witnesses and present evidence on his behalf; and will waive the affirmative defense of the Statute of Limitations.¹ Defendant will then be read the

¹ Also, 22 O.S. § 153 tolls the three year Statute of Limitations for this violation.

Mr. Riddet
March 22, 1994
Page 3

charge in the State felony Information; will enter a nolo contendere plea thereto, which the Tulsa County District Attorney's Office (on our behalf) will not oppose. The District Attorney will also tell the Court that they do not oppose a deferred finding of guilt (deferred sentencing program) for a five year period, with probation conditions and restitution as set forth in this plea bargain letter.

6. A presentence will be ordered by the State District Judge unless he or she determines, based upon the information presented, that such a report is not necessary.
7. When the report is prepared, your client will have to reappear in front of the State District Judge, who will then again be told by the District Attorney's Office (at the request of our office) that the Tulsa County District Attorney's Office does not oppose a deferred finding of guilt (deferred sentencing program). The District Attorney will also recommend the other provisions as set forth in this letter as to duration, restitution and other conditions, and will recommend that no jail time be imposed on your client.
8. Your client understands that it is up to the sentencing court at that moment to decide whether to accept the position of the District Attorney's Office and to defer a finding of guilt as to your client, and place him on probation under the deferred sentencing program.
9. After the State District Court has "sentenced" the defendant -- by either deferring a finding of guilt for the five year period as agreed to herein, or otherwise -- this office will dismiss the present Indictment in the above-captioned case, and will not further prosecute the defendant in this matter.
10. The defendant understands that there are two times, during the above-described procedure in State Court, where the District Court Judge, in his exclusive discretion, could make rulings contrary to those being recommended by this office and not being opposed by the District Attorney's Office for Tulsa County. Those are: (a) the District Judge might not accept a nolo contendere plea and might require a guilty plea to the state felony charge, and (b) the District Judge might determine, after reading the presentence report, not to follow this agreement, and the non-opposition of the District Attorney's Office, and might determine to find the defendant guilty of the offense and not defer a finding of guilt (deferred sentencing program). Defendant has been counseled on these possibilities by you, and by local counsel Paul Brunton, and your client understands that these risks exist.

Mr. Riddet
March 22, 1994
Page 4

11. If the Tulsa County District Court does not accept a nolo contendere plea from the defendant, and thereafter, for whatever reason, will not accept a guilty plea from the defendant (either because he refuses to enter one, or because he will not provide an adequate factual basis), then it is understood that prosecution under the above-captioned Indictment will continue in Federal Court with the empanelment of a new jury and the commencement of the trial that was mistried today.
12. If, however, the Tulsa County District Court, at the time of defendant's sentencing, refuses (for whatever reason) to place the defendant on the deferred sentencing program, and enters a finding of guilt against the defendant on his earlier plea to the state felony Information, then the defendant shall have no right to withdraw his guilty or nolo contendere plea at that point. In that unlikely event, this office, acting through the District Attorney's Office, would see that a recommendation of "no jail time" was made to the Court as to the defendant's sentence after such a finding of guilt. We would also see that other recommendations as to restitution, duration of probation, etc., were repeated to the Court. Sentencing, however, would be within the discretion of the Court.
13. It is further agreed by this office, at your request, that should the RTC intervene with the State Probation Office during the preparation of the presentence report on the defendant, and/or at his sentencing, in opposition to this plea bargain, that this office will appear in person, and through the District Attorney's Office, and will represent to the Probation Office and/or the Court that we believe the deferred sentencing program is appropriate for the defendant in this matter, subject to the restitution and other conditions set forth in this letter.
14. There are no other representations, understandings, or agreements between your client and this office, except as set forth in this agreement.

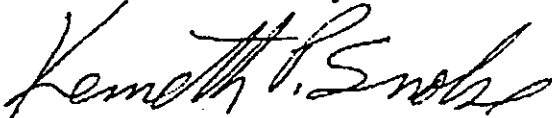
If the foregoing is in accordance with your understanding of our agreement, you, your client, and co-counsel Paul Brunton, should indicate your agreement to and acceptance of these terms and conditions, by signing this letter agreement below, and by returning

Mr. Riddet
March 22, 1994
Page 5

the original to me as expeditiously as possible. I would also appreciate the return, by facsimile machine, of a copy of the original of this letter once it is signed by your client.

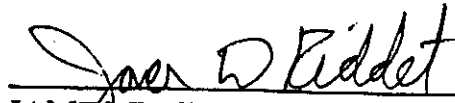
Sincerely,


STEPHEN C. LEWIS
United States Attorney



KENNETH P. SNOKE
KATHLEEN BLISS ADAMS
Assistant United States Attorneys

AGREED TO AND ACCEPTED this 30 day of March, 1994.



JAMES D. RIDDET
Attorney for Defendant

JOHN R. LIVINGSTON
Defendant

PAUL BRUNTON
Attorney for Defendant

KPS:ljw

IN THE DISTRICT COURT OF TULSA COUNTY
STATE OF OKLAHOMA

STATE OF OKLAHOMA.
COUNTY OF TULSA.

) ss.
)

No. _____

THE STATE OF OKLAHOMA.

INFORMATION

Plaintiff.

DISTRICT COURT
FILED

21-1541-0002

vs.

MAR 31 1994

JOHN R. LIVINGSTON.

SALLY HOWE SMITH, COURT CLERK
STATE OF OKLA. TULSA COUNTY

CF 94 1604

Defendant(s).

BE IT REMEMBERED:

That DAVID MOSS, the duly qualified and acting DISTRICT ATTORNEY FOR TULSA COUNTY, OKLAHOMA, who prosecutes in the name and by the authority of THE STATE OF OKLAHOMA, comes now into the District Court of Tulsa County, State of Oklahoma, and gives the Court to understand and be informed that:

JOHN R. LIVINGSTON, on or about 08-18-88, in Tulsa County, State of Oklahoma and within the jurisdiction of this Court, did commit the crime of OBTAINING MONEY AND PROPERTY BY FALSE PRETENSE, a felony, by unlawfully, feloniously, wrongfully, willfully and fraudulently, obtain money and property of a value over \$500.00 belonging to one SOONER FEDERAL SAVINGS AND LOAN ASSOCIATION by means of deception and fraudulent representations, pretense, scheme or device, made and used by said JOHN R. LIVINGSTON to gain the confidence of the said SOONER FEDERAL SAVINGS AND LOAN ASSOCIATION and to induce it to part with its said money and property, in manner and means as follows: In a letter dated August 18th, 1988, to SOONER FEDERAL SAVINGS AND LOAN ASSOCIATION, in order to induce the said savings and loan to transfer approximately 24 million in corporate bonds to First City National Bank, Houston, Texas, to secure a \$9.2 million non-recourse loan to Parker North American Company, Newport Beach, California. The defendant, as Executive Vice President of Parker North American Corporation, wrote: "We have been doing business like this for a number of years, with hundreds of million dollars of successful transactions behind us: we've never had a problem." and:

The purpose of this letter is to provide you with written assurances that you will be funded \$10,000,000 within 90 days of the date of this letter as a result of the aforementioned sale/lease back arrangement. In the event that you are not so funded, the transaction will be considered null and void for lack of consideration, and all documents and fees will be returned. In this unlikely event, it is our agreement that we will consider this transaction as never having occurred.

Whereas, as the defendant then and there will knew, Parker North American Corporation was then having numerous problems "with prior business transactions like this", to the extent of a \$10.1 million backlog in monies then owed by Parker North American to prior customers; and the defendant new, or had reason to know, that Parker North American would not be able to return all documents and fees, and "consider this transaction as never having occurred.; if, as happened, Parker North American could not fund SOONER FEDERAL SAVINGS AND LOAN the \$10 million it owed Sooner within 90 days of August 18, 1998.

That the said SOONER FEDERAL SAVINGS AND LOAN ASSOCIATION relied on the aforesaid statements, representations and scheme made and used by said JOHN R. LIVINGSTON, and delivered possession and title of the aforesaid money and property at the direction of the said JOHN R. LIVINGSTON to First City National Bank, Houston, Texas, to collateralize a 9.2 million loan to Parker North American Corporation.

That all of said representations, pretense, scheme and device were false and untrue and were knowingly made and used by said JOHN R. LIVINGSTON with the unlawful, willful, wrongful and fraudulent intent then and there to deceive the said SOONER FEDERAL SAVINGS AND LOAN and to swindle, beat, cheat and defraud it out of said money and property, contrary to the form of the Statutes in such cases made and provided and against the peace and dignity of the State,

contrary to the form of the Statutes in such cases made and provided, and against the peace and dignity of the State.

DAVID MOSS, District Attorney

BY: Thomas G. K. T.

Assistant

STATE OF OKLAHOMA.) ss.
COUNTY OF TULSA.)

I. _____ being duly sworn on oath, say that the
statements set forth in the above information are true.

Subscribed and sworn to me this _____ day of _____, 19____,
SALLY HOWE SMITH, Court Clerk

BY: _____
Deputy

NAMES OF WITNESS:

RECORDS CUSTODIAN	SOONER FEDERAL SAVINGS & LOAN	TULSA	OK
RECORDS CUSTODIAN	FIRST CITY LEASING CORPORATION	HOUSTON	TX
RECORDS CUSTODIAN	FIRST CITY NATIONAL BANK	HOUSTON	TX
JOHN ROBERDS	SOONER FEDERAL SAVINGS & LOAN	TULSA	OK

Case No. _____

ATTORNEY: TCG
SECRETARY: kdf

DESCRIPTION OF DEFENDANT(S)

NAME: LIVINGSTON. JOHN R.
ADDR: UNKNOWN
DESC: MALE
REMARKS:

DOB: UNKNOWN
SSN: UNKNOWN

DA HISTORY NO. 062196

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

ENTERED ON DOCKET

DATE 4-25-94

UNITED STATES OF AMERICA

v.

Case Number 93-CR-189-C

FILED

APR 25 1994

CECIL LEONARD ETHRIDGE, JR.
Defendant.

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

The defendant, CECIL LEONARD ETHRIDGE, JR., was represented by Stephen J. Greubel.

The defendant pleaded guilty to count 1 of the Indictment. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 2113(a) and 2113(d)	Armed Bank Robbery	11/05/93	1

As pronounced on April 20, 1994, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 25th day of April, 1994.


The Honorable H. Dale Cook
United States District Judge

Defendant's SSN: 486-76-1165
Defendant's Date of Birth: 12/30/73
Defendant's residence and mailing address: Custody of United States Marshal

United States District Court)
Northern District of Oklahoma) SS
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.
Richard M. Lawrence, Clerk
By R. Miller
Deputy

Defendant: CECIL LEONARD ETHRIDGE, JR.
Case Number: 93-CR-189-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 46 months.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: CECIL LEONARD ETHRIDGE, JR.

Case Number: 93-CR-189-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 5 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall participate in a program of mental health treatment (to include inpatient), as directed by the Probation Officer, until such time as the defendant is released from the program by the Probation Officer.
5. If deemed necessary, the defendant shall participate in financial counseling as directed by the U. S. Probation Office.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: CECIL LEONARD ETHRIDGE, JR.
Case Number: 93-CR-189-C

FINE

The defendant shall pay a fine of \$ 1,300 as to count 1 of the Indictment.

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release, as directed by the U. S. Probation Office.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: CECIL LEONARD ETHRIDGE, JR.
Case Number: 93-CR-189-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	22
Criminal History Category:	II
Imprisonment Range:	46 months to 57 months
Supervised Release Range:	3 to 5 years
Fine Range:	\$ 7,500 to \$ 75,000
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

ENTERED ON DOCKET **United States District Court**
 DATE APR 25 1994 NORTHERN DISTRICT OF OKLAHOMA

APR 25 1994

Richard M. Lawrence, Court Clerk
 U.S. DISTRICT COURT

UNITED STATES OF AMERICA

V.

AMENDED 2 of 2

JUDGMENT IN A CRIMINAL CASE

Mario Roberto Garcia-Emanuel
 Men's Correctional Institute
 Box 396
 Hardwick, Georgia 31034

RESENTENCING ON REMAND
 Case Number: 90-CR-092-001-B

(Name and Address of Defendant)

Steve Greubel

Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

☐ guilty ☐ nolo contendere] as to count(s) _____, and
☒ not guilty as to count(s) 3,4,5,11, & 13 of the Superseding Indictment

THERE WAS A:

☐ finding ☒ verdict] of guilty as to count(s) 3,4,5,11 & 13 of the Superseding Indictment

THERE WAS A:

☐ finding ☐ verdict] of not guilty as to count(s) _____
☐ judgment of acquittal as to count(s) _____
 The defendant is acquitted and discharged as to this/these count(s).

United States District Court)
 Northern District of Oklahoma) SS
 I hereby certify that the foregoing
 is a true copy of the original on file
 in this Court.

Richard M. Lawrence, Clerk

By [Signature]
 Deputy

THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

Counts 3, 4, & 5 Income Tax Evasion
 Title 26, U.S.C. Section 7201
 Counts 11 & 13 Money Laundering, Aiding & Abetting
 Title 18, U.S.C. Sections 1956(a)(1) & 2

IT IS THE JUDGMENT OF THIS COURT THAT:

As to Counts 3,4,5,11, and 13 of the Superseding Indictment, the defendant shall be committed to the custody of the Attorney General for a period of five years, each to run concurrently with each other.

Said sentence to run concurrently to the sentence imposed in Counts 1,2,6,7,8,15,16, and 17 of the same Superseding Indictment imposed under the Sentencing Reform Act and referenced in a separate Judgment and Commitment Order. Said sentence to run concurrently with the sentence imposed in Case No. 88CR109013, in the matter of the State of Georgia vs Mario Garcia.

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of probation set out on the reverse of this judgment are imposed.

Defendant: MARIO ROBERTO GARCIA-EMANUEL
Case Number: 90-CR-092-001-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 292 months -- Count 1 - 292 months, Count 2 - 292 months, Count 6 - 60 months, Count 7 - 60 months, Count 8 - 60 months and Counts 15,16, and 17 - 240 months. All sentences to run concurrently with each other and to Counts 3,4,5,11 & 13 of the same Superseding Indictment and referenced in a separate Judgment and Commitment Order filed in this case.

Additionally, these counts are to run concurrently with the sentence of imprisonment imposed in Case No. 88CR109013 in the matter of State of Georgia vs Mario Garcia.

The defendant is to receive credit towards service of this sentence for the time spent in custody in Case No. 88CR109013, State of Georgia vs Mario Garcia.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: MARIO ROBERTO GARCIA-EMANUEL
Case Number: 90-CR-092-001-B

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of five (5) years; 5 years in Counts 1 & 2 to run concurrent; 3 years in Counts 6, 7, 8, 15, 16, & 17 to run concurrently with each other and concurrent with Counts 1 & 2.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: MARIO ROBERTO GARCIA-EMANUEL
Case Number: 90-CR-092-001-B

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	40
Criminal History Category:	I
Imprisonment Range:	292 months to 365 months
Supervised Release Range:	5 years
Fine Range:	\$ 25,000 to \$ 4,000,000
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s): A recommendation at the low end of the guideline range (292 months) is viewed as sufficient time to serve as punishment and deterrence.

FILED

ENTERED ON DOCKET **UNITED STATES DISTRICT COURT**
DATE APR 25 1994 **Northern District of Oklahoma**

APR 25 1994

Richard M. Lawrence, Court Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

AMENDED 1 of 2

Case Number 90-CR-092-001-B

RESENTENCING PURSUANT TO TENTH CIRCUIT MANDATE

MARIO ROBERTO GARCIA-EMANUEL
 Defendant.

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

United States District Court)
 Northern District of Oklahoma) SS

I hereby certify that the foregoing
 is a true copy of the original on file
 in this Court.

Richard M. Lawrence, Clerk

By [Signature]
 Deputy

The defendant, MARIO ROBERTO GARCIA-EMANUEL, was represented by Steve Greubel.

On the Court's own motion count(s) 9, 10, 12, 14, 18 through 25 of the Superseding Indictment, have been dismissed.

The defendant was found guilty on count(s) 1,2,6,7,8,15,16, and 17 of the Superseding Indictment after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21:846, 841(a)(1)	Conspiracy to Possess with Intent to Distribute		
841(b)(1)(A)(ii)	and to Distribute Cocaine	12-88	1
21:848	A Continuing Criminal Enterprise	12-88	2
26:7201	Income Tax Evasion	4-89	6 & 7
18:371 & 1956(a)(1)	Conspiracy to Launder Money	10-4-88	8
18:1956(a)(1) & (2)	Money Laundering, Aiding & Abetting	6-10-88	15,16,17

As pronounced on April 14, 1994, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 400, for count(s) 1,2,6,7,8,15,16, & 17 of the Superseding Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 19th day of April, 1994.

[Signature]
 The Honorable Thomas R. Brett
 United States District Judge

Defendant's SSN: 042-58-1961

Defendant's Date of Birth: 04-24-48

Defendant's residence and mailing address: Men's Correctional Institute, Box 396, Hardwick, GA 31034

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

ENTERED ON DOCKET

DATE 4-22-94

UNITED STATES OF AMERICA

v.

Case Number 93-CR-178-003-B

RONALD DALE HICKS
Defendant.

FILED

APR 21 1994

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

The defendant, RONALD DALE HICKS, was represented by Robert Nigh, Jr.

On motion of the United States the court has dismissed count 1 of the Indictment.

The defendant pleaded guilty to counts 1 and 2 of the Information. Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

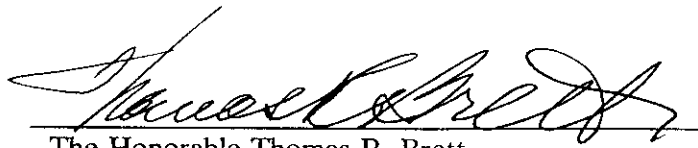
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 841(a)(1)	Unlawful Distribution Of Controlled Substance	01/17/92	1
21 USC 841(a)(1)	Unlawful Distribution Of Controlled Substance	01/23/92	2

As pronounced on April 15, 1994, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for counts 1 and 2 of the Information, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 20th day of April, 1994.


The Honorable Thomas R. Brett
United States District Judge

Defendant's SSN: 441-66-4334

Defendant's Date of Birth: 09/21/57

Defendant's residence and mailing address: 14104 East 19th Street, Tulsa, Oklahoma

United States District Court) SS
Northern District of Oklahoma)

I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk

By R. M. Lawrence
Deputy

Defendant: RONALD DALE HICKS
Case Number: 93-CR-178-003-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 30 months as to each of counts 1 and 2 of the Information, all sentences to run concurrently, each to the other.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: RONALD DALE HICKS
Case Number: 93-CR-178-003-B

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years as to each of counts 1 and 2 of the Information, to run concurrently each to the other.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: RONALD DALE HICKS
Case Number: 93-CR-178-003-B

FINE

The defendant shall pay a fine of \$ 1,000 as to count 1 of the Information.

This amount is the total of the fines imposed on individual counts, as follows: \$1,000 on count 1 of the Information.

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release, as directed by the U. S. Probation Office.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: RONALD DALE HICKS
Case Number: 93-CR-178-003-B

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report except the two level increase for possession of a firearm during commission of a drug offense is not applicable. Also, the defendant is found to be responsible for the distribution of only 53 grams of a mixture or substance containing a detectable amount of methamphetamine. This results in an 8 level reduction in the total offense level to 17.

Guideline Range Determined by the Court:

Total Offense Level:	17	
Criminal History Category:	I	
Imprisonment Range:	24 months to 30 months	counts 1 & 2 of the Information
Supervised Release Range:	3 to 5 years	counts 1 & 2 of the Information
Fine Range:	\$ 5,000 to \$ 1,000,000	counts 1 & 2 of the Information
Restitution:	\$ N/A	

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

COURT
OKLAHOMA
FILED
SEP 27 1994
Hon. M. Lawrence, Clerk
U.S. DISTRICT COURT
CR-48-B

DATE SEP 22 1994

2) The Petition on Probation and Supervised Release alleges that on June 24, 1994, defendant possessed cocaine in violation of the condition of probation prohibiting commission of federal, state or local crimes and prohibiting the possession of controlled substances.

3) The Petition on Probation and Supervised Release further alleges that defendant submitted numerous urinalysis samples which tested positive for Benzodiazapenes, a controlled substance in violation of the condition of probation prohibiting the possession and use of such controlled substances.

4) The defendant in open court, stipulated to the allegations in numbers 2 and 3 above and the court accepts the stipulations and orders the probation revoked and defendant's sentencing set for November 4, 1994 at 9:30 a.m.

IT IS SO ORDERED.

THOMAS R. BRETT
United States District Judge

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 93-CR-163-003-E

JAIME JAVIER MATA
Defendant.

FILED

APR 21 1994

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)
Richard M. Lawler, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

The defendant, JAIME JAVIER MATA, was represented by Stephen J. Greubel.

The defendant was found guilty on count 2 of the Indictment after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

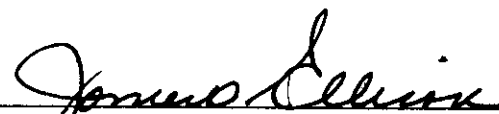
Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21 USC 846, 841(a)(1) and 841(b)(1)(B)(vii)	Conspiracy To Possess And Distribute 100 Kilograms Or More Of Marijuana	11/03/93	2

As pronounced on April 15, 1994, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count 2 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 20th day of April, 1994.


The Honorable James O. Ellison, Chief
United States District Judge

Defendant's SSN: 448-68-8052

Defendant's Date of Birth: 09/16/63

Defendant's residence and mailing address: 328 S. 17th Street, Donna, Texas

Defendant: JAIME JAVIER MATA
Case Number: 93-CR-163-003-E

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 78 months.

The Court makes the following recommendations to the Bureau of Prisons: That the defendant be incarcerated in a facility near Donna, Texas.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: JAIME JAVIER MATA
Case Number: 93-CR-163-003-E

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 4 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: JAIME JAVIER MATA
Case Number: 93-CR-163-003-E

FINE

The defendant shall pay a fine of \$ 2,500 as to count 2 of the Indictment.

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release, as directed by the U. S. Probation Office.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: JAIME JAVIER MATA
Case Number: 93-CR-163-003-E

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	28
Criminal History Category:	I
Imprisonment Range:	78 months to 97 months
Supervised Release Range:	4 to 5 years
Fine Range:	\$ 12,500 to \$ 2,000,000
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

United States District Court)
Northern District of Oklahoma) 55

I hereby certify that what is being
is a true copy of the original on file
in this Court

Edward A. Lawrence, Clerk

By _____
Deputy

20

4-21-94

aw

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 93-CR-097-007-E

GUSTAVO IZABAL-DURAN
Defendant.

FILED

APR 21 1994

Richard M. Lawrence, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, GUSTAVO IZABAL-DURAN, was represented by Stephen G. Ralls.

On motion of the United States the court has dismissed count 2 of the Second Superseding Indictment.

The defendant pleaded guilty to count 1 of the Second Superseding Indictment. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:


Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
1 USC 846 841(a)(1), and 841(b)(1)(B)	Conspiracy To Possess With Intent To Distribute And To Distribute Marijuana In Excess Of 1,000 Kilograms	05/01/90	1

As pronounced on April 15, 1994, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count 1 of the Second Superseding Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 20th day of April, 1994.


The Honorable James O. Ellison, Chief
United States District Judge

Defendant's SSN: None

Defendant's Date of Birth: 02/14/50

Defendant's residence and mailing address: Care of United States Marshal

Defendant: GUSTAVO IZABAL-DURAN
Case Number: 93-CR-097-007-E

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 70 months.

The Court makes the following recommendations to the Bureau of Prisons: The court recommends that the Bureau of Prisons designate a facility in Arizona as the defendant's place of detention.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: GUSTAVO IZABAL-DURAN
Case Number: 93-CR-097-007-E

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 5 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. Upon his release from the Bureau of Prisons, it is ordered that the defendant be remanded to a duly authorized immigration official for deportation and that he remain outside the United States.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: GUSTAVO IZABAL-DURAN
Case Number: 93-CR-097-007-E

FINE

The defendant shall pay a fine of \$ 1,000 as to count 1 of the Second Superseding Indictment.

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release, as directed by the U. S. Probation Office.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: GUSTAVO IZABAL-DURAN
Case Number: 93-CR-097-007-E

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	27
Criminal History Category:	I
Imprisonment Range:	70 months to 87 months
Supervised Release Range:	4 to 5 years
Fine Range:	\$ 12,500 to \$ 2,000,000
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

United States District Court)
Northern District of Oklahoma) SS
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.
Richard M. Lawrence, Clerk
By _____ Deputy

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 93-CR-097-007-E ✓

GUSTAVO IZABAL-DURAN
Defendant.

FILED

APR 21 1994

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMAJUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, GUSTAVO IZABAL-DURAN, was represented by Stephen G. Ralls.

On motion of the United States the court has dismissed count 2 of the Second Superseding Indictment.


The defendant pleaded guilty to count 1 of the Second Superseding Indictment. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 846 841(a)(1), and 841(b)(1)(B)	Conspiracy To Possess With Intent To Distribute And To Distribute Marijuana In Excess Of 1,000 Kilograms	05/01/90	1

As pronounced on April 15, 1994, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count 1 of the Second Superseding Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 20th day of April, 1994.

 The Honorable James O. Ellison, Chief
 United States District Judge

Defendant's SSN: None

Defendant's Date of Birth: 02/14/50

Defendant's residence and mailing address: Care of United States Marshal

Defendant: GUSTAVO IZABAL-DURAN
Case Number: 93-CR-097-007-E

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 70 months.

The Court makes the following recommendations to the Bureau of Prisons: The court recommends that the Bureau of Prisons designate a facility in Arizona as the defendant's place of detention.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: GUSTAVO IZABAL-DURAN
Case Number: 93-CR-097-007-E

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 5 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. Upon his release from the Bureau of Prisons, it is ordered that the defendant be remanded to a duly authorized immigration official for deportation and that he remain outside the United States.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: GUSTAVO IZABAL-DURAN
Case Number: 93-CR-097-007-E

FINE

The defendant shall pay a fine of \$ 1,000 as to count 1 of the Second Superseding Indictment.

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release, as directed by the U. S. Probation Office.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: GUSTAVO IZABAL-DURAN
Case Number: 93-CR-097-007-E

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	27
Criminal History Category:	I
Imprisonment Range:	70 months to 87 months
Supervised Release Range:	4 to 5 years
Fine Range:	\$ 12,500 to \$ 2,000,000
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 93-CR-163-003-E✓

JAIME JAVIER MATA
Defendant.

FILED

APR 21 1994

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1984)

Richard M. Lawr
S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

The defendant, JAIME JAVIER MATA, was represented by Stephen J. Greubel.

The defendant was found guilty on count 2 of the Indictment after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:


Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21 USC 846, 841(a)(1) and 841(b)(1)(B)(vii)	Conspiracy To Possess And Distribute 100 Kilograms Or More Of Marijuana	11/03/93	2

As pronounced on April 15, 1994, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count 2 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 20th day of April, 1994.


The Honorable James O. Ellison, Chief
United States District Judge

Defendant's SSN: 448-68-8052

Defendant's Date of Birth: 09/16/63

Defendant's residence and mailing address: 328 S. 17th Street, Donna, Texas

Defendant: JAIME JAVIER MATA
Case Number: 93-CR-163-003-E

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 78 months.

The Court makes the following recommendations to the Bureau of Prisons: That the defendant be incarcerated in a facility near Donna, Texas.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: JAIME JAVIER MATA

Case Number: 93-CR-163-003-E

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 4 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: JAIME JAVIER MATA
Case Number: 93-CR-163-003-E

FINE

The defendant shall pay a fine of \$ 2,500 as to count 2 of the Indictment.

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release, as directed by the U. S. Probation Office.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: JAIME JAVIER MATA
Case Number: 93-CR-163-003-E

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	28
Criminal History Category:	I
Imprisonment Range:	78 months to 97 months
Supervised Release Range:	4 to 5 years
Fine Range:	\$ 12,500 to \$ 2,000,000
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

United States District Court) SS
Northern District of Oklahoma)

I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

By Michael M. Lawrence Clerk
Deputy

24

ENTERED ON DOCKET

DATE 4-21-94

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA
Plaintiff

VS

FRED ALLEN SCHUBERT
Defendant

Case Number: 91-CR-140-003-C

FILED

APR 21 1994

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

JUDGMENT AND COMMITMENT ORDER ON REVOCATION OF SUPERVISED RELEASE

Now on this 19th day of April 1994, this cause comes on for sentencing after a previous finding that the defendant violated conditions of supervised release as set out in the Petition on Probation and Supervised Release filed on March 30, 1994. The defendant is present in person and with his attorney, Stephen Gruebel. The Government is represented by Assistant U. S. Attorney Neal Kirkpatrick, and the U. S. Probation Office is represented by Tony Budzinsky.

The defendant was heretofore, on December 19, 1991, convicted on his plea of guilty to Counts One and Three of a ten-count Indictment which charged Conspiracy to Commit Bank Fraud and Aiding and Abetting, in violation of Title 18, U.S.C. § 371 and Bank Fraud and Aiding and Abetting in violation of Title 18, U.S.C. §§ 1344 and 2. He was subsequently sentenced on March 18, 1992, to a twelve month custody sentence to be followed by three years of supervised release as to each count, to be served concurrently.

United States District Court -
Northern District of Oklahoma)
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk

By R. Miller
Deputy

with each other. The standard conditions of supervised release recommended by the U. S. Sentencing Commission were also imposed. In addition to the standard conditions, special conditions regarding substance abuse treatment, to include drug testing as directed by the U. S. Probation Office and restitution of \$2,400 were also imposed. On April 7, 1994, a revocation hearing was held regarding the allegations noted in the Petition on Probation and Supervised Release, said allegations being that the defendant failed to submit monthly reports as required, failed to answer truthfully all inquiries by the Probation officer and follow instructions of the Probation officer, failed to notify the Probation officer within seventy-two hours of any change in residence or employment, failed to notify the Probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer, failed to participate in a substance abuse treatment program to include drug testing as directed by the U. S. Probation Officer, and failed to pay restitution as noted on page four of the Judgment Order. The Court made a finding that the defendant violated his conditions of supervised release, and a sentencing hearing was set for April 19, 1994.

As a result of the sentencing hearing, the Court finds that the violations occurred after November 1, 1987, and that Chapter 7 of the U. S. Sentencing Commission Guidelines is applicable. Further, the Court finds that the violations of supervised release constitute Grade C violations in accordance with U.S.S.G § 7B1.1(a)(3), and that defendant's original criminal history category of III is now applicable for determining the imprisonment range. In addition, the Court finds that a Grade C violation and a criminal history category of III establish a revocation imprisonment range of five to eleven months, in accordance with U.S.S.G. § 7B1.4(a) and Title 18, U.S.C. § 3565(a). In consideration of these findings and

pursuant to U. S. versus Lee, 957 F.2d 770 (Tenth Circuit, 1992), in which the circuit determined that the policy statements in Chapter 7 were not mandatory, and must be considered by the Court, the following sentence is ordered:

It is adjudged by the Court that the defendant shall be sentenced to serve ten (10) months in the custody of the Bureau of Prisons on Count I and ten (10) months custody on Count III, concurrent with Count I. The \$2,400 restitution is reinstated to be paid immediately by means of the Inmate Responsibility Program. The Court recommends that the defendant be allowed to fully avail himself of educational and drug treatment programs while in the custody Bureau of Prisons.

The defendant is remanded to the custody of the U. S. Marshal.



The Honorable H. Dale Cook
U. S. District Judge

April 20, 94
Date

DATE 4-20-94

FILED

APR 20 1994

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

Plaintiff,

VS.

Defendant.

No. 94-CR-37-B

O R D E R

Now before the Court is Defendant James O. Moore's Motion to Suppress All Evidence Seized Pursuant to Search Warrants Issued on or about July 16, 1992 (Docket #9). The Court accepted evidence and heard argument on the motion April 15, 1994.

Defendant currently stands charged in this Court with 18 counts of filing false claims against the United States in violation of 18 U.S.C. §287 and 18 U.S.C. §2. Specifically, the Indictment states Defendant "knowingly made ... claims upon the United States for services purportedly provided to Medicare patients by [Defendant], knowing such claims to be false and fraudulent in that the services described were not provided as claimed."

Defendant moves the Court to suppress all of the voluminous documents that were seized from the Defendant's home and office pursuant to search warrants issued on July 16, 1992. Defendant asserts that the affidavits supporting the subject search warrants were deficient in that they omitted material facts, which if included, would have precluded a finding of probable cause by the Magistrate.

Client

Defendant argues that the affidavits in support of probable cause suggested that the Defendant's full-time working hours prevented him from engaging in private practice.¹ Defendant points out that the affidavits failed to state that Defendant was authorized by his employer to engage in private practice and argues this fact, if included in the affidavit, would have precluded the Magistrate from finding probable cause to issue the warrants.

In assessing whether a search warrant is supported by probable cause, a magistrate's determination of probable cause must be given considerable deference. Illinois v. Gates, 462 U.S. 213, 236 (1983). A defendant alleging salient evidence was omitted from an affidavit supporting a finding of probable cause to issue a search warrant has the burden of demonstrating deliberate falsity or reckless disregard for the truth by the affiant. Franks v. Delaware, 438 U.S. 154, 171 (1978); United States of America v. One Hundred Forty-Nine Thousand Four Hundred Forty-two and 43/100 Dollars in United States Currency, 965 F.2d 868 (10th Cir. 1992); United States v. Sullivan, 919 F.2d 1403, 1424 (10th Cir. 1990); and United States v. Owens, 882 F.2d 1493 (10th Cir. 1989). Furthermore, a warrant is not made invalid by false information or omissions in the affidavit, even intentionally or recklessly made, if the remaining allegations establish probable cause, and such probable cause is not vitiated by consideration of the omissions.

¹ The affidavits supporting the search warrants were submitted by Special Agents Beverly Carter and J.C. Carbajal of the Office of Inspector General, Office of Investigations, United States Department of Health and Human Services.

Franks v. Delaware, 438 U.S. 154, 171 (1978); Stewart v. Donges, 915 F.2d 572, 582 (10th Cir. 1990) and United States v. Knapp, 1 F.3d 1026, 1029 (10th Cir. 1993)(to knowingly or recklessly omit from an affidavit information that would vitiate probable cause violates the Fourth Amendment).

The only evidence submitted during the hearing on Defendant's motion to suppress was the two affidavits upon which the search warrants were based and two documents represented to be authorizations by Defendants employer, the Oklahoma Department of Corrections, for Defendant to engage in additional part-time employment. Defendant argues that if these authorizations had been revealed to the magistrate, the search warrants would not have been issued.

The affidavits of Special Agents Carter and Carbajal stated the following:

1) Special Agent Carter reviewed a copy of a Medicare claim submitted by Defendant in which he represented that he had rendered services to Anna Rivers on 17 different occasions. Anna Rivers stated to Carter she had only seen the Defendant on one occasion;

2) Special Agent Carter reviewed a copy of a claim submitted to Medicare which indicated Defendant had rendered services to Elva Reid on 16 different dates. Elva Reid stated to Carter she had never been treated by the Defendant.

3) Special Agent Carter reviewed the computerized history of Medicare claims filed by Defendant which indicated that the majority of the patients Defendant had billed for treating were

residents in several nursing homes in Muskogee, Oklahoma. Group therapy was one of the items billed to Medicare on nearly every patient in the nursing homes.

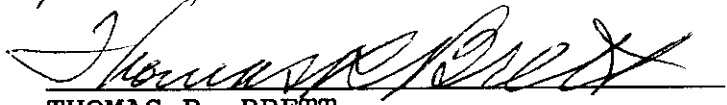
4) Special Agent Carter visited Heritage Nursing Home, Azalea Park Nursing Home, Pleasant Valley Nursing Home and Broadway Manor and reviewed the medical records for which Defendant had filed Medicare claims. Special Agent Carter was unable to locate documentation of psychotherapy to the patients and was told by employees of the various nursing homes that the Defendant had never provided group therapy to the patients and had never seen a patient more than once.

5) Defendant billed for group therapy at Tower Hill Nursing Home 60 times, 15 times at Heritage Nursing Home, 85 times at Azalea Park and 107 times at Pleasant Valley.

Upon reviewing the affidavits and hearing the arguments of the parties, the Court concludes Defendant has wholly failed to establish that the affiants knowingly or recklessly omitted material information from their affidavits. Furthermore, based on the totality of the evidence contained in the affidavits, the Court concludes that the inclusion of the "omitted" information would not have vitiated a finding of probable cause.

For these reasons, Defendant's Motion to Suppress (Docket #9) is DENIED.

IS SO ORDERED, this 19 day of April, 1994.


THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

ENTERED ON DOCKET

DATE APR 19 1994

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE APR 18 1994
NORTHERN DISTRICT OF OKLAHOMA

Richard M. Lawrence, Court Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

CARL LEE COOPER, JR.,)


Defendant.)

No. 93 ~~92~~-CR-155-B ✓

ORDER

Now on this 18th day of April, 1994 this cause comes on to be heard in the matter of the plaintiff's Motion for Leave to Dismiss, without prejudice, the Indictment against defendant Carl Lee Cooper, Jr. in the above styled cause. The Court finds that said request ought to be granted and the Indictment against defendant Carl Lee Cooper, Jr. is dismissed, without prejudice.

IT IS SO ORDERED.


THOMAS R. BRETT

United States District Judge

ENTERED ON DOCKET

DATE APR 19 1994

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE APR 18 1994
NORTHERN DISTRICT OF OKLAHOMA

Richard M. Lawrence, Court Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

CARL LEE COOPER, JR.,)

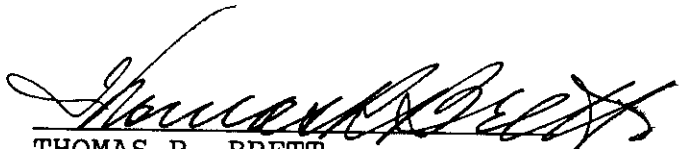
Defendant.)

No. 93-CR-155-B ✓

ORDER

Now on this 18th day of April, 1994 this cause comes on to be heard in the matter of the plaintiff's Motion for Leave to Dismiss, without prejudice, the Indictment against defendant Carl Lee Cooper, Jr. in the above styled cause. The Court finds that said request ought to be granted and the Indictment against defendant Carl Lee Cooper, Jr. is dismissed, without prejudice.

IT IS SO ORDERED.


THOMAS R. BRETT

United States District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA **F I L E I**

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

ARNULFO C. OLIVO,)

Defendant.)


mw APR 18 1994

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

No. 93-CR-182-C ✓

DISMISSAL OF ORIGINAL INDICTMENT

Leave of court is granted for the filing of the government's motion to dismiss the original indictment and the court hereby orders dismissal of the original indictment filed December 9, 1993, as the government elects to proceed by Superseding Indictment filed April 6, 1994.


H. DALE COOK, Senior
United States District Judge

April 18, 94
Date

JSM:mjl

DATE 4/14/94

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 93-CR-183-E

FILED

APR 14 1994

MARGARET ANN RICHARDSON
 Defendant.

Richard M. Lawrence, Clerk
 U. S. DISTRICT COURT
 NORTHERN DISTRICT OF OKLAHOMA

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, MARGARET ANN RICHARDSON, was represented by Stephen J. Greubel.

On motion of the United States the court has dismissed counts 1 and 2 of the Indictment.

The defendant pleaded guilty to count 1 of the Information. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

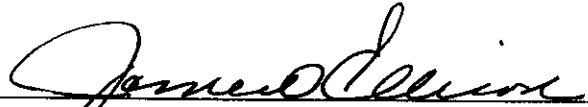
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
42 USC 408(a)(7)(B)	Use Of A False Social Security Number	10/11/93	1

As pronounced on April 8, 1994, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count 1 of the Information, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 13th day of April, 1994.


 The Honorable James O. Ellison, Chief
 United States District Judge

Defendant's SSN: 446-64-3706

Defendant's Date of Birth: 09-14-60

Defendant's residence and mailing address: 3022 East Tecumseh, Tulsa, Oklahoma 74110

United States District Court)
 Northern District of Oklahoma) SS
 I hereby certify that the foregoing
 is a true copy of the original on file
 in this Court.

Richard M. Lawrence, Clerk
 By B. M. Callahan
 Deputy

Defendant: MARGARET ANN RICHARDSON
Case Number: 93-CR-183-E

PROBATION

The defendant is hereby placed on probation for a term of 3 years.

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
4. The defendant shall pay any fine and restitution that is imposed by this judgment in regular monthly installment payments, as directed by the U. S. Probation Office.

STANDARD CONDITIONS OF PROBATION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: MARGARET ANN RICHARDSON
Case Number: 93-CR-183-E

FINE

The defendant shall pay a fine of \$ 250 as to count 1 of the Information.

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

This fine shall be paid. Any amount not paid immediately shall be paid as directed by the U. S. Probation Office during the period of probation, in regular installment payments.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: MARGARET ANN RICHARDSON
Case Number: 93-CR-183-E

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$500 as to count 1 of the Information.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Liberty Bank of Tulsa (Bank of Tulsa) Attn.: Carol Novek (Account of Robert Anderson, Jr.) 5307 East 41st Street Tulsa, Oklahoma 74135	\$500

Payments of restitution are to be made to the United States Attorney for transfer to the payee.

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of probation, as directed by the U. S. Probation Office, in regular installment payments.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: MARGARET ANN RICHARDSON
Case Number: 93-CR-183-E

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	4
Criminal History Category:	III
Imprisonment Range:	0 months to 6 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 250 to \$ 5,000
Restitution:	\$ 500

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

DATE 4/14/94

UNITED STATES DISTRICT COURT

Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 93-CR-163-001-E

DAVID BRUCE McDERMOTT II
Defendant.

FILED

APR 14 1994

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

The defendant, DAVID BRUCE McDERMOTT II, was represented by Stuart Southerland (assisting defendant in pro se representation).

On motion of the United States the court has dismissed count 2 of the Indictment.

The defendant was found guilty on counts 1, 3, 4, and 5 of the Indictment after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21 USC 848(a)(c) and (d), 846, 841(a)(1) and 843(b)	Continuing Criminal Enterprise	11/03/93	1
18 USC 1952	Interstate Travel In Aid Of Unlawful Activity	11/30/92	3, 4, & 5

As pronounced on April 8, 1994, the defendant is sentenced as provided in pages 2 through 6 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 200, for counts 1, 3, 4, and 5 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 19th day of April, 1994.

Defendant's SSN: 448-86-0200

Defendant's Date of Birth: 07/25/70

Defendant's residence and mailing address: Tulsa County Jail, Tulsa, Oklahoma 74103

The Honorable James O. Ellison, Chief
United States District Judge

United States District Court)
Northern District of Oklahoma) ss
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk

By SM. Bullough
Deputy

Defendant: DAVID BRUCE McDERMOTT II
Case Number: 93-CR-163-001-E

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 240 months. 240 months on count 1 of the Indictment, 60 months on each of counts 3, 4, and 5 of the Indictment, all counts to run concurrently.

The Court makes the following recommendations to the Bureau of Prisons: That the defendant be required to pay money earned during custody, toward his fine in installments, through the Inmate Financial Responsibility Program.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: DAVID BRUCE McDERMOTT II
Case Number: 93-CR-163-001-E

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years in counts 1, 3, 4, and 5 as to each count to run concurrent.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
6. The defendant shall provide the probation office with any requested financial documentation, to include income tax returns.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: DAVID BRUCE McDERMOTT II
Case Number: 93-CR-163-001-E

FINE

The defendant shall pay a fine of \$ 5,000 as to counts 1 of the Indictment.

This amount is the total of the fines imposed on individual counts, as follows: \$5,000 on count 1 of the Indictment.

This fine (plus any interest required) shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release, as directed by the U. S. Probation Office.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: DAVID BRUCE McDERMOTT II
Case Number: 93-CR-163-001-E

RESTITUTION AND FORFEITURE

FORFEITURE

The defendant is ordered to forfeit the following property to the United States:

1. One 1990 Chevrolet pickup,
VIN 1GCDC14N8LZ222550
2. One 1982 Thunderbird 21 foot powerboat,
Serial No. TNRD3827M82F
3. One 1992 Bombadier 8 foot waterbike,
Serial No. ZZN20224K192,
Okla. Reg. No. OK7819CF

Defendant: DAVID BRUCE McDERMOTT II
Case Number: 93-CR-163-001-E

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	38	
Criminal History Category:	I	
Imprisonment Range:	240 months to 293 months	
Supervised Release Range:	3 to 5 years	count 1
	2 to 3 years	counts 3, 4, & 5
Fine Range:	\$ 35,000 to \$ 2,000,000	counts 1, 3, 4, & 5
Restitution:	\$ N/A	

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reasons: Adequately addresses the guideline objective of punishment.

ENTERED ON DOCKET

DATE 7-8-94

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED
IN OPEN COURT

SEP 03 1994

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID BRUCE McDERMOTT,

Defendant.

No. 93-CR-163-E

ORDER OF FORFEITURE

WHEREAS, in Count Two (incorporated in Count One) of the Indictment in the above case, the United States sought forfeiture of specific property of the above-captioned Defendants pursuant to 21 U.S.C. § 853 as either proceeds of the unlawful drug activities charged in Count One or property used or intended to be used to facilitate said violations;

AND WHEREAS, on January 26, 1993, the trial jury found the above Defendant David Bruce McDermott guilty on Counts One, Three, Four and Five, and thereafter the trial jury returned a Special Verdict finding that said Defendant's interest in each of the specifically identified properties alleged in Count Two (incorporated in Count One) is subject to forfeiture;

AND WHEREAS, by virtue of said Guilty and Special Verdicts, the United States is now entitled to possession of said properties, pursuant to 21 U.S.C. §§ 848, 846, 841(a)(1), 1952 and 853 and Rule 32(b)(2) of the Federal Rules Criminal Procedure;

Accordingly, it is hereby ORDERED, ADJUDGED AND DECREED:

1. That based upon the jury verdict of guilty against the above Defendant on Count One, the United States is hereby authorized to seize the following property and it is hereby

forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1):

The following property belonging to Defendant McDermott:

One 1990 Chevrolet pickup,
VIN 1GCDC14N8LZ222550

One 1982 Thunderbird 21 foot powerboat,
Serial No. TNRD3827M82F

One 1992 Bombadier 8 foot waterbike,
Serial No. ZZN20224K192,
Okla. Reg. No. OK7819CF

2. That all of the aforementioned forfeited property is to be held by the United States Marshals Service, in their custody and control.

3. That pursuant to 21 U.S.C. § 853(n)(1), the United States Marshal forthwith shall publish at least once for three successive weeks in a newspaper of general circulation, notice of this Order, notice of the Marshals intent to dispose of the property in such manner as the Attorney General may direct and notice that any person, other than the Defendant David Bruce McDermott, having or claiming a legal interest in any of the above-listed forfeited property must file a petition with the court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier.

This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in each of the forfeited

properties and any additional facts supporting the petitioner's claim and the relief sought.

The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Order of Forfeiture, as a substitute for published notice as to those persons so notified.

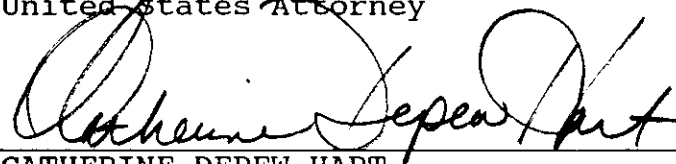
4. That upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

ORDERED this 8th day of April, 1994.


UNITED STATES DISTRICT JUDGE

Presented by:

STEPHEN C. LEWIS
United States Attorney


CATHERINE DEPEW HART
Assistant United States Attorney

CDH:mjl

ENTERED ON DOCKET

DATE 4-14-94

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA
Plaintiff

VS

WILLIAM E. MERRITT
Defendant

Case Number: 93-CR-031-001-B

F I L E D

APR 14 1994

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

ORDER REVOKING SUPERVISED RELEASE

Now on this 8th day of April 1994, this cause comes on for sentencing after a previous finding that the defendant violated conditions of supervised release set out in the Petition on Probation and Supervised Release filed on March 15, 1994. The defendant is present in person with his attorney, Rob Nigh. The government is represented by Assistant U. S. Attorney Lucy Creekmore, and the U. S. Probation Office is represented by J. Mark Ogle.

The defendant, in the Northern District of Texas, was heretofore convicted on July 14, 1989, on his plea of guilty to Count 2 of a three count Indictment which charged Possession of Cocaine with Intent to Distribute in violation of Title 21, U.S.C. § 841. He was subsequently sentenced on July 14, 1989, to a twenty-seven month custody sentence to be followed by three years of supervised release. Jurisdiction over the defendant's supervised release was transferred to the Northern District of Oklahoma on February 5, 1993.

United States District Court)
Northern District of Oklahoma) SS

I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

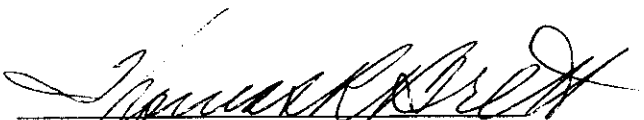
Richard M. Lawrence, Clerk

By R. Miller
Deputy

On March 22, 1994, a revocation hearing was held regarding the allegations noted in the Petition of Probation and Supervised Release, said allegation stating that the defendant committed new law violations. The Court made a finding that the defendant violated his conditions of supervised release as alleged, and a sentencing hearing was set for April 8, 1994.

As a result, the Court finds that the violations occurred after November 1, 1987, and that Chapter 7 of the U. S. Sentencing Commission guidelines is applicable. Further, the Court finds that the violation of supervised release constitutes a Grade B violation in accordance with Section 7B1.1(a)(2), and that the defendant's original criminal history category of III is now applicable for determining the imprisonment range. In addition, the Court finds that a Grade B violation with a criminal history category of III establishes a revocation imprisonment range of eight to fourteen months, in accordance with Section 7B1.4(a) and Title 18, U.S.C. § 3583(e)(3). In consideration of these findings and pursuant to U. S. versus Lee 957 F.2d 770 (10 Circuit 1992), in which the Circuit determined that the policy statements in Chapter 7 were not mandatory, but must be considered by the Court, the following sentence is ordered:

On this 8th day of April 1994, it is adjudged by the Court that the defendant shall be sentenced to serve twelve (12) months in the custody of the Bureau of Prisons.


The Honorable Thomas R. Brett
U. S. District Judge

4-14-94
Date

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

APR 14 1994

Richard M. Lawrence, Clerk
 U. S. DISTRICT COURT
 NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

RESENTENCING PURSUANT TO
10TH CIRCUIT MANDATE
 Case Number 93-CR-006-001-E

v.

DAVID KIRKLAND DEANOVICH
 Defendant.

JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987)

The defendant, DAVID KIRKLAND DEANOVICH, was represented by Stephen J. Greubel.

The defendant pleaded guilty to count 1 of the Information. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

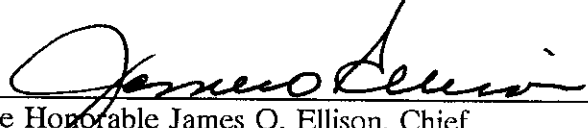
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 371	Conspiracy To Commit Armed Bank Robbery	01/12/93	1

As pronounced on April 8, 1994, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count 1 of the Information, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 13th day of April, 1994.


 The Honorable James O. Ellison, Chief
 United States District Judge

Defendant's SSN: 367-76-4529

Defendant's Date of Birth: 05/01/59

Defendant's residence and mailing address: United State Bureau of Prisons

United States District Court)
 Northern District of Oklahoma) SS
 I hereby certify that the foregoing
 is a true copy of the original on file
 in this Court.

Richard M. Lawrence, Clerk
 By B.M. Callahan
 Deputy

Defendant: DAVID KIRKLAND DEANOVICH
Case Number: 93-CR-006-001-E

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 46 months.

The Court makes the following recommendations to the Bureau of Prisons: That the defendant be required to pay at least half of any money earned, during custody toward his fine, through the Bureau of Prisons' Inmate Financial Responsibility Program.

The defendant shall surrender to the United States marshal for this district .

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: DAVID KIRKLAND DEANOVICH
Case Number: 93-CR-006-001-E

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 2 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: DAVID KIRKLAND DEANOVICH
Case Number: 93-CR-006-001-E

FINE

The defendant shall pay a fine of \$ 3,500 as to count 1 of the Information.

This fine (plus any interest required) shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release, as directed by the U. S. Probation Office.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: DAVID KIRKLAND DEANOVICH
Case Number: 93-CR-006-001-E

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	22
Criminal History Category:	II
Imprisonment Range:	46 months to 57 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 7,500 to \$ 75,000
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

DATE 4-14-94**United States District Court**

NORTHERN

DISTRICT OF

OKLAHOMA

UNITED STATES OF AMERICA

V.

**THIRD AMENDED
JUDGMENT IN A CRIMINAL CASE**

JOHN W. DANIELS

Case Number: 86-CR-4-01-BT

(Name and Address of Defendant)

W. Creekmore Wallace II, retained

Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

☐ guilty ☐ nolo contendere] as to count(s) _____, and
☒ not guilty as to count(s) 1, 2, 3, 4, 5, 8, and 9 of the Indictment

During trial the government with Court approval dismissed Counts 8 and 9.

THERE WAS A:

☐ finding ☒ verdict] of guilty as to count(s) 1, 2, 3, 4, and 5 of the Indictment

THERE WAS A:

☐ finding ☐ verdict] of not guilty as to count(s) _____

☐ judgment of acquittal as to count(s) _____

The defendant is acquitted and discharged as to this/these count(s).

FILED**APR 14 1994**Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA**THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:**

Having violated Title 21, U.S.C., Section 846, 841(a)(1), 848, Title 18, U.S.C., Section 371, and Title 26, U.S.C., Section 7201 as charged in Counts 1, 2, 3, 4 and 5 of the Indictment.

IT IS THE JUDGMENT OF THIS COURT THAT:

- Count 1 - Court vacated and dismissed Count 1 immediately prior to sentencing.
Count 2 - Eighteen (18) years without parole and a \$50 Special Assessment.
Count 3 - Five (5) years to run concurrent with Count 2 and a \$50 Special Assessment.
Count 4 - Five (5) years to run concurrent with Counts 2 and 3.
Count 5 - Imposition of sentence is suspended and the defendant is placed on probation for a period of five (5) years to commence upon completion of sentence imposed in Counts 2, 3, and 4.

The defendant is to pay the costs of prosecution in the amount of \$5,046.96 (current balance totals \$3,631.56). Payments are to begin 90 days after the defendant's release from prison and shall be paid at the rate of \$25 per month.

The Court recommends that the defendant receive drug treatment and supervision, any necessary medical attention for stomach ulcers and an opportunity to learn a trade.

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of probation set out on the reverse of this judgment are imposed.

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ 100 pursuant to Title 18, U.S.C. Section 3013 for count(s) 2 and 3 of the Indictment as follows:

Count 2: \$50
Count 3: \$50

IT IS FURTHER ORDERED THAT counts _____ are DISMISSED on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this district any amount imposed as a fine, restitution or special assessment. The defendant shall pay to the clerk of the court any amount imposed as a cost of prosecution. Until all fines, restitution, special assessments and costs are fully paid, the defendant shall immediately notify the United States attorney for this district of any change in name and address.

IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgment to the United States marshal of this district.

☐ The Court orders commitment to the custody of the Attorney General and recommends:

August 19, 1986

Date of Imposition of Sentence

Signature of Judicial Officer

The Honorable Thomas R. Brett

U.S. District Judge

Name and Title of Judicial Officer

Date

United States District Court) SS
Northern District of Oklahoma)

I hereby certify that the foregoing is a true copy of the original on file in this Court.

Richard M. Lawrence, Clerk

By R. Miller
Deputy

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____
Date

_____, the institution designated by the Attorney General, with a certified copy of this Judgment in a Criminal Case.

United States Marshal

By _____
Deputy Marshal

ENTERED ON DOCKET

DATE 4/13/94

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

APR 13 1994

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
CHRISTINE HARRIS,)
)
Defendant.)

93-CR-191-E
No. ~~92-CR-155-B~~

O R D E R

Now on this 13th day of April, 1994 this cause comes on to be heard in the matter of the plaintiff's Motion for Leave to Dismiss, without prejudice, the Information against defendant Christine Harris in the above styled cause. The Court finds that said request ought to be granted and the Information against defendant Christine Harris is dismissed, without prejudice.

IT IS SO ORDERED.

S/ JAMES O. ELLISON

JAMES O. ELLISON, Chief
United States District Judge

Richard M. Lawrence, Clerk
R. M. Lawrence
Clerk

ENTERED ON DOCKET

DATE 4-8-94

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED
IN OPEN COURT

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID BRUCE McDERMOTT,

Defendant.

APR 08 1994

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA
No. 93-CR-00123

ORDER OF FORFEITURE

WHEREAS, in Count Two (incorporated in Count One) of the Indictment in the above case, the United States sought forfeiture of specific property of the above-captioned Defendants pursuant to 21 U.S.C. § 853 as either proceeds of the unlawful drug activities charged in Count One or property used or intended to be used to facilitate said violations;

AND WHEREAS, on January 26, 1993, the trial jury found the above Defendant David Bruce McDermott guilty on Counts One, Three, Four and Five, and thereafter the trial jury returned a Special Verdict finding that said Defendant's interest in each of the specifically identified properties alleged in Count Two (incorporated in Count One) is subject to forfeiture;

AND WHEREAS, by virtue of said Guilty and Special Verdicts, the United States is now entitled to possession of said properties, pursuant to 21 U.S.C. §§ 848, 846, 841(a)(1), 1952 and 853 and Rule 32(b)(2) of the Federal Rules Criminal Procedure;

Accordingly, it is hereby ORDERED, ADJUDGED AND DECREED:

1. That based upon the jury verdict of guilty against the above Defendant on Count One, the United States is hereby authorized to seize the following property and it is hereby

forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1):

The following property belonging to Defendant McDermott:

One 1990 Chevrolet pickup,
VIN 1GCDG14N8LZ222550

One 1982 Thunderbird 21 foot powerboat,
Serial No. TNRD3827M82F

One 1992 Bombadier 8 foot waterbike,
Serial No. ZZN20224K192,
Okla. Reg. No. OK7819CF

2. That all of the aforementioned forfeited property is to be held by the United States Marshals Service, in their custody and control.

3. That pursuant to 21 U.S.C. § 853(n)(1), the United States Marshal forthwith shall publish at least once for three successive weeks in a newspaper of general circulation, notice of this Order, notice of the Marshals intent to dispose of the property in such manner as the Attorney General may direct and notice that any person, other than the Defendant David Bruce McDermott, having or claiming a legal interest in any of the above-listed forfeited property must file a petition with the court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier.

This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in each of the forfeited

properties and any additional facts supporting the petitioner's claim and the relief sought.

The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Order of Forfeiture, as a substitute for published notice as to those persons so notified.

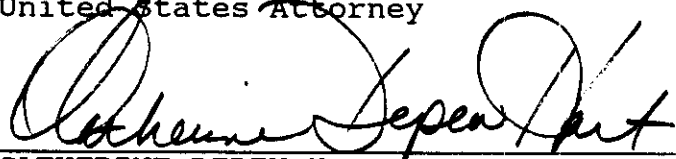
4. That upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

ORDERED this 8th day of April, 1994.

UNITED STATES DISTRICT JUDGE

Presented by:

STEPHEN C. LEWIS
United States Attorney



CATHERINE DEPEW HART
Assistant United States Attorney

CDH:mjl

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 94-CR-005-001-C

SHARON K. DANIELS
Defendant.

FILED

APR 7 1994

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

The defendant, SHARON K. DANIELS, was represented by Everett Bennett.

The defendant pleaded guilty to count 1 of the Information. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

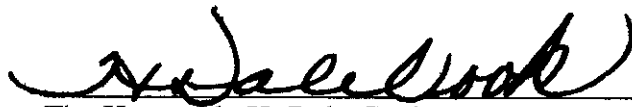
Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 1341	Mail Fraud	06/18/91	1

As pronounced on April 5, 1994, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count 1 of the Information, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 6 day of April, 1994.



The Honorable H. Dale Cook
United States District Judge

United States District Court)
Northern District of Oklahoma) SS

I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk

By B. Miller
Deputy

Defendant's SSN: 446-48-0448

Defendant's Date of Birth: 07/22/47

Defendant's residence and mailing address: 1612 East 71st Street, #1814, Tulsa, Oklahoma 74136

Defendant: SHARON K. DANIELS

Case Number: 94-CR-005-001-C

PROBATION

The defendant is hereby placed on probation for a term of 3 years.

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation office.
4. The defendant shall provide the probation office with any requested financial documentation to include income tax returns.

STANDARD CONDITIONS OF PROBATION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: SHARON K. DANIELS
Case Number: 94-CR-005-001-C

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$3,600 as to count 1 of the Information.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Country Mutual Insurance Attn.: Terry Niles Claim #410-001969 6110 N.W. 63rd Street Oklahoma City, Oklahoma 73132	\$1,332.00
Mid-Continent Insurance Company 1646 South Boulder Tulsa, Oklahoma 74119	\$2,268.00

Restitution is due immediately. Any amount not paid immediately shall be payable during the term of probation as directed by the U.S. Probation Office. Any payment made that is not payment in full shall be divided proportionately among the victims named.

Payments of restitution are to be made to the United States Attorney for transfer to the payees.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: SHARON K. DANIELS
Case Number: 94-CR-005-001-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

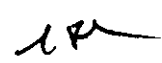
Guideline Range Determined by the Court:

Total Offense Level:	13
Criminal History Category:	I
Imprisonment Range:	12 months to 18 months
Supervised Release Range:	2 years to 3 years
Fine Range:	\$ 3,000 to \$ 30,000
Restitution:	\$ 33,865.65

The fine is waived or is below the guideline range because of the defendant's inability to pay.

Full restitution is not ordered for the following reasons: Due to defendant's inability to pay.

The sentence departs from the guideline range for the following reasons: Upon motion of the government, as a result of defendant's substantial assistance.



UNITED STATES DISTRICT COURT
Northern District of Oklahoma

aw
ENTERED ON DOCKET
DATE 4-8-94

UNITED STATES OF AMERICA

v.

Case Number 93-CR-190-C

JOE HENRY CANTELLAY
Defendant.

FILED

APR 7 1994

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

The defendant, JOE HENRY CANTELLAY, was represented by Robert Nigh, Jr.

On motion of the United States the court has dismissed count 1 of the Indictment.

The defendant pleaded guilty to count 2 of the Indictment. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

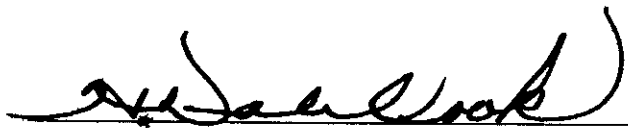
Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 922(g)	Receipt Of Firearm After Prior Felony Conviction	07/05/93	2

As pronounced on April 5, 1994, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count 2 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 7th day of April, 1994.


The Honorable H. Dale Cook
United States District Judge

Defendant's SSN: 443-48-8289

Defendant's Date of Birth: 10/25/51

Defendant's residence and mailing address: Oklahoma Department of Corrections

United States District Court) SS
Northern District of Oklahoma)

I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk

By R. Miller
Deputy

Defendant: JOE HENRY CANTELLAY
Case Number: 93-CR-190-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 37 months as to Count 2 of the Indictment.

The Court makes the following recommendations to the Bureau of Prisons: Sentence imposed concurrent with CRF-92-423 which was filed in Garfield County, Oklahoma, therefore, it is requested that the Bureau of Prisons designate the Oklahoma Department of Corrections to be the place of service of this sentence. Should the defendant be released from the Oklahoma Department of Corrections prior to completion of this sentence, the defendant will be transferred to the custody of the Bureau of Prisons to serve the time remaining.

RETURN

I have executed this Judgment as follows:

The defendant is remanded to the custody of the United States Marshal.

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: JOE HENRY CANTELLAY
Case Number: 93-CR-190-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: JOE HENRY CANTELLAY
Case Number: 93-CR-190-C

FINE

The defendant shall pay a fine of \$300 as to count 2 of the Indictment.

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release, as directed by the U. S. Probation Office.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: JOE HENRY CANTELLAY
Case Number: 93-CR-190-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	12
Criminal History Category:	VI
Imprisonment Range:	30 months to 37 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 3,000 to \$ 30,000
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

DATE 4-8-94

UNITED STATES OF AMERICA

v.

Case Number 93-CR-158-001-C

JIMMY RAY TURNER
Defendant.

FILED

APR 7 1994

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

The defendant, JIMMY RAY TURNER, was represented by George M. Miles.

On motion of the United States the court has dismissed counts 1, 2, and 4 of the Indictment.

The defendant pleaded guilty to count 3 of the Indictment. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1001	False Statements To Government Agency	02/22/91	3

As pronounced on April 5, 1994, the defendant is sentenced as provided in pages 2 through 3 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count 3 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 6 day of April, 1994.



The Honorable H. Dale Cook
United States District Judge

Defendant's SSN: 446-42-3813

Defendant's Date of Birth: 09/07/44

Defendant's residence and mailing address: Route 2, Box 345-1, Inola, Oklahoma 74036

United States District Court)
Northern District of Oklahoma) SS
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk

By R. Miller
Deputy

Defendant: JIMMY RAY TURNER
Case Number: 93-CR-158-001-C

PROBATION

The defendant is hereby placed on probation for a term of 3 years.

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of 6 months, to commence within 72 hours of sentencing date. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. The entire cost of this program shall be paid by the defendant.
4. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF PROBATION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: JIMMY RAY TURNER
Case Number: 93-CR-158-001-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report except the Court makes the finding that no facts are present which clearly determine the defendant utilized more than minimal planning in the commission of the instant offense, and therefore, the total offense level as determined in the presentence investigation report is reduced to 10.

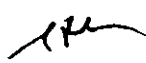
Guideline Range Determined by the Court:

Total Offense Level:	10
Criminal History Category:	I
Imprisonment Range:	6 months to 12 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 2,000 to \$ 20,000
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

Full restitution is not ordered for the following reasons: No restitution is ordered because the Veterans Administration will withhold the defendant's benefits until the loss amount is recovered.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.



UNITED STATES DISTRICT COURT
Northern District of Oklahoma

ENTERED ON DOCKET

DATE 4-8-94

UNITED STATES OF AMERICA

v.

Case Number 93-CR-112-001-B

MARCO DARNELL MORRISON
 Defendant.

F I L E D

APR 8 1994

JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987)

Richard M. Lawrence, Clerk
 U. S. DISTRICT COURT
 NORTHERN DISTRICT OF OKLAHOMA

The defendant, MARCO DARNELL MORRISON, was represented by Stephen J. Greubel.

The defendant pleaded guilty to count 1 of the Indictment. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:


<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 922(g)(1) and 924(a)(2)	Possession Of A Firearm After Former Conviction Of A Felony	01/21/93	1

As pronounced on April 4, 1994, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 7th day of April, 1994.


 The Honorable Thomas R. Brett
 United States District Judge

United States District Court)
 Northern District of Oklahoma) SS

I hereby certify that the foregoing
 is a true copy of the original on file
 in this Court.

Richard M. Lawrence, Clerk

By R. Miller
 Deputy

Defendant's SSN: 443-70-2762

Defendant's Date of Birth: 06/08/73

Defendant's residence and mailing address: 2719 North Lewis Avenue, Tulsa, Oklahoma 74110

Defendant: MARCO DARNELL MORRISON
Case Number: 93-CR-112-001-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 60 months.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: MARCO DARNELL MORRISON
Case Number: 93-CR-112-001-B

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
6. The defendant shall participate in a program of treatment for sex offenders as directed by the probation office, until such time as released from the program by the probation office.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: MARCO DARNELL MORRISON
Case Number: 93-CR-112-001-B

FINE

The defendant shall pay a fine of \$ 1,500 as to count 1 of the Indictment.

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release, as directed by the U. S. Probation Office.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: MARCO DARNELL MORRISON
Case Number: 93-CR-112-001-B

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	20
Criminal History Category:	IV
Imprisonment Range:	51 months to 63 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 7,500 to \$ 75,000
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.



DATE 4/7/94**FILED**UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA

APR 6 1994

Richard M. Lawrence, Court Clerk
U.S. DISTRICT COURTUNITED STATES OF AMERICA
Plaintiff

VS.

THOMAS GILBREATH
Defendant

Case No. 91-CR-024-001-B

ORDER
NUNC PRO TUNC

On March 1, 1994, the defendant appeared for resentencing upon remand at which time the court committed the defendant to the custody of the U.S. Bureau of Prisons for 71 months in Counts One, Four and Five as to each count, to run concurrently. Counts One, Four and Five each carry a statutory maximum of 60 months, resulting in the sentence imposed on March 1, 1994, having exceeded the statutory maximum as to each count.

Accordingly, the Court modifies only the custody portion of the sentence, Nunc Pro Tunc, and orders that the defendant is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of sixty (60) months as to Count One of the Indictment, and eleven (11) months as to Counts Four and Five of the Indictment to run concurrently to each other, and consecutive to the sentence imposed in Count One of the Indictment, for a total term of imprisonment of 71 months.

It is so ordered this 6th day of April, 1994.

United States District Court)
Northern District of Oklahoma) ss
I hereby certify that the foregoing
is a true copy as the same appears on file
in this Court.

Richard M. Lawrence, Clerk

By P. M. Callahan
Deputy

Thomas R. Brett
Thomas R. Brett
United States District Judge

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

ENTERED ON DOCKET

DATE 4-6-94

UNITED STATES OF AMERICA

CORRECTED
(AS TO RESTITUTION)

v.

Case Number 93-CR-134-003-C

JERRY KEITH GORDON
Defendant.

FILED

APR 6 1994

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

The defendant, JERRY KEITH GORDON, was represented by Lawrence Martin.

On motion of the United States the court has dismissed counts 2, 3, 4, and 5 of the Indictment.

The defendant pleaded guilty to count 1 of the Indictment. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 317	Conspiracy To Commit Theft From Interstate Oil Pipeline	05/16/93	1

As pronounced on December 7, 1993, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 4 day of April, 1994


The Honorable H. Dale Johnson, United States District Court
Northern District of Oklahoma) SS

I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk
By R. Miller
Deputy

Defendant's SSN: 445-48-7866

Defendant's Date of Birth: 01/13/48

Defendant's residence and mailing address: 603 Railroad Street; Healdton, Oklahoma 73438

Defendant: JERRY KEITH GORDON
Case Number: 93-CR-134-003

PROBATION

The defendant is hereby placed on probation for a term of 5 years.

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of 6 months, to commence as soon as it can be arranged by the U. S. Probation Office. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. The entire cost of this program shall be paid by the defendant.

STANDARD CONDITIONS OF PROBATION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: JERRY KEITH GORDON
Case Number: 93-CR-134-003

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Koch Industries, Inc. P.O. Box 2256 Wichita, Kansas 67201-2256	\$8,622.20

Payments of restitution are to be made to the United States Attorney for transfer to the payee(s).

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of probation, as directed by the U. S. Probation Office.

The defendant shall be held jointly and severally liable with any other person ordered to pay restitution to the victims of this offense. In no event shall the defendant pay less than one-third of the total amount of restitution.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: JERRY KEITH GORDON
Case Number: 93-CR-134-003

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	9
Criminal History Category:	I
Imprisonment Range:	4 months to 10 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 1,000 to \$ 10,000
Restitution:	\$ 8,622.20

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.